



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

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ADVANCE COPY VIA ELECTRONIC MAIL

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RE: In the Matter of Cotter Corporation (NSL), and Laidlaw Waste Systems (Bridgeton),
Inc. and Rock Road Industries, Inc. and the U.S. Department of Energy
Administrative Order on Consent, EPA Docket No. VII-93-F-0005

Dear Counsel:

The U.S. Environmental Protection Agency Region VII (EPA) has determined that additional work is necessary to accomplish the objectives of the Remedial Investigation/Feasibility Study for Operable Unit 1 of the West Lake Landfill Site (Site). We greatly appreciate the Respondents' cooperation in agreeing to collect additional data from Areas 1 and 2, as well as the ongoing preparation and implementation of work plans for the analysis of partial excavation alternatives, groundwater fate and transport, apatite treatment technology, and discount rate. The purpose of this letter is to provide a path forward necessary to bring all of the various outstanding items together which reflect new information



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and evaluations that have occurred since the 2008 Record of Decision for Operable Unit 1 and will be considered by EPA to complete our evaluation of the West Lake Landfill remedy.

Pursuant to Paragraph 51 of the Administrative Order on Consent (AOC) referenced above, EPA hereby requests that Respondents Bridgeton Landfill, LLC; Rock Road Industries, Inc.; and Cotter Corporation (N.S.L.), and Federal Respondent U.S. Department of Energy perform this work consistent with the provisions of the AOC and its modifications, the National Contingency Plan (NCP), 40 C.F.R. Part 300, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, 42 U.S.C. 9601 et seq, and EPA guidance. Specifically, Respondents and Federal Respondent are requested to prepare a Remedial Investigation Addendum, a comprehensive Final Feasibility Study, and implement a Perimeter Air Monitoring Program as further described in the enclosed Statement of Work.

It is EPA's expectation that if Respondents and Federal Respondent agree to perform the additional work, it shall be performed pursuant to the standards, specifications, and schedules approved by EPA in a written modification to the RI/FS Work Plan and associated revisions to the AOC. Within seven working days of the date of this letter, please respond with the PRPs' willingness to perform the additional activities described above and in the enclosed Statement of Work. Note that once we receive the PRPs' agreement EPA is prepared to arrange a scoping meeting to discuss the specific elements of this work.

EPA appreciates your continued cooperation, and please feel free to contact me at 913-551-7826 with any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Alyse Stoy".

Alyse Stoy
Associate Deputy Regional Counsel

Enclosure